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**IAP13 Rec'd PCT/PTO 31 JAN 2007**

January 31, 2007

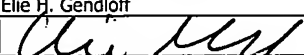
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Via Express Mail  
(EV 725833389 US)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

"Express Mail" mailing label No. EV 725833389 US	
Date of Deposit:	January 31, 2007
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Name:	Elie H. Gendloff
Signature:	

Re: U.S. Patent Application Serial No. 10/574,994  
(U.S. National Phase Entry of PCT/US2004/032675)  
Title: TREATMENT OF COGNITIVE DYSFUNCTION IN LUPUS  
Inventors: Betty A. Diamond and Bruce T. Volpe  
Our File: 96700/1120

Dear Sir:

Pursuant to our receipt of a "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)," enclosed please find the following documents for filing with the above-identified patent application in the names of Betty A. Diamond and Bruce T. Volpe, entitled ANTIGENS TREATMENT OF COGNITIVE DYSFUNCTION IN LUPUS, comprising the following:

1. a "Reply to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)" (2 pages);
2. a copy of a "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)" dated December 13, 2006, as required (2 pages);
3. a Fee Transmittal, Form PTO/SB/17 (1 page);

January 31, 2007

4. an executed Declaration in compliance with 37 C.F.R. § 1.497(a) and (b) (3 pages total);
5. an Information Disclosure Statement, Forms PTO/SB/08A (1 page) and PTO/SB/08B (3 pages) with a copy of each of the 27 references listed on the 3 pages of Form PTO/SB/08B attached thereto;
6. an Amster Rothstein & Ebenstein LLP check in the amount of \$65 to cover the late declaration surcharge, claiming small entity status; and
7. a return receipt postcard.


Small entity status has been previously established and is still proper.

Please acknowledge receipt of the enclosed papers by stamping the enclosed postcard and returning same to us.

Respectfully submitted,

Amster, Rothstein & Ebenstein LLP  
Attorneys for Applicants  
90 Park Avenue  
New York, NY 10016  
212 336 8000

Dated: New York, New York  
January 31, 2007

By:   
Elie H. Gendloff  
Registration No. 44,704

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/574,994

Confirmation No. 3486

Applicant : Betty A. Diamond and Bruce T. Volpe

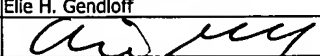
Filed : October 5, 2004 (I.A.)

TC/A.U. : to be assigned

Examiner : to be assigned

Docket No. : 96700/1120

Customer No. : 1912

"Express Mail" mailing label No. EV 725833389 US	
Date of Deposit:	January 31, 2007
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Name:	Elie H. Gendloff
Signature:	

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply is to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated December 13, 2006 for the above-identified patent application. This Reply is due February 13, 2007 and is timely filed.

Oath or Declaration

Applicants enclose a Declaration of the inventors, in compliance with 37 C.F.R. 1.497(a) and (b).

Information Disclosure Statement

Enclosed herewith are Forms PTO/SB/08A (1 page) and PTO/SB/08B (3 pages) and copies of the 27 references listed on the three PTO/SB/08B forms.


Conclusion

Applicants enclose herewith an Amster, Rothstein & Ebenstein check for \$65.00 to cover the late Declaration fee for a small entity. It is believed that no other fee is due for this application. However, if there are additional fees required to maintain pendency of this application, authorization is hereby given to withdraw those fees from Deposit Account 01-1785.

Respectfully submitted

AMSTER, ROTHSTEIN & EBENSTEIN LLP  
Attorneys for Applicant  
90 Park Avenue  
New York, NY 10016  
(212) 336-8000

Dated: New York, New York  
January 31, 2007

By:   
Elie H. Gendloff  
Registration No.: 44,704



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,994	Betty Diamond	96700/1120

INTERNATIONAL APPLICATION NO.

PCT/US04/32675

I.A. FILING DATE

PRIORITY DATE

10/05/2004

10/07/2003

Craig J. Arnold  
 Amster Rothstein & Ebenstein  
 90 Park Avenue  
 New York, NY 10016

CONFIRMATION NO. 3486

371 FORMALITIES LETTER



\*OC000000021562486\*

Date Mailed: 12/13/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/06/2006
- Copy of the International Search Report filed on 04/06/2006
- Preliminary Amendments filed on 04/06/2006
- U.S. Basic National Fees filed on 04/06/2006
- Priority Documents filed on 04/06/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,994	PCT/US04/32675	96700/1120

FORM PCT/DO/EO/905 (371 Formalities Notice)

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**65****Complete if Known**

Application Number	10/574,994
Filing Date	October 5, 2004 (I.A.)
First Named Inventor	Betty A. Diamond
Examiner Name	to be determined
Art Unit	to be determined
Attorney Docket No.	96700/1120

**METHOD OF PAYMENT (check all that apply)**

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 01-1785 Deposit Account Name: Amster Rothstein & Ebenstein LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

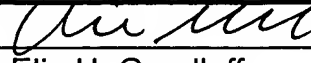
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): late declaration surcharge**Fees Paid (\$)****\$65****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	44,704	Telephone	212-336-8000
Name (Print/Type)	Elie H. Gendloff			Date	January 31, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.